

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

**FILED**  
IN CLERK'S OFFICE  
U.S. DISTRICT COURT E.D.N.Y.  
★ APR 22 2009 ★

- - - - -X

BROOKLYN OFFICE

UNITED STATES OF AMERICA

RESTITUTION ORDER

- against -

08 CR 76 (JBW)

JOSEPH AGATE, et. Al.,

Defendant.

- - - - -X

As part of the sentence imposed in the above-captioned case, *after full and extended consideration of the record in this criminal matter,* it is hereby ORDERED, as follows:

1. The defendants listed below, shall pay restitution to the federal Crime Victims Fund pursuant to 18 U.S.C. § 3664(g)(2), in the amounts listed in the charts below, *without interest.*

2. This restitution order is a lien in favor of the United States on all property and rights to property of the defendants, as provided in 18 U.S.C. § 3613(c). The liability to pay the restitution shall terminate as provided by 18 U.S.C. § 3613(b). See also 18 U.S.C. § 3613(f).

3. In addition, as a condition of supervised release, the defendants shall make complete and periodic financial payments as directed by the United States Probation Department until the amount listed in the charts below for each defendant is fully paid.

4. If any defendant listed in the charts below knowingly fails to pay the restitution required by this Order or by law he will be subject to one or more of the actions permitted

by 18 U.S.C. §§ 3613A (Effect of Default) including re-sentencing pursuant to 18 U.S.C. § 3614. See also 18 U.S.C. § 3615 (Criminal Default).

8. This Order is entered after the Court has fully considered the factors set forth in 18 U.S.C. §§ 3663 and 3664 that are applicable to <sup>each</sup> ~~this~~ defendant. *It is timely.*

9. This Order is part of the sentence and shall be included in the judgment. *All persons who might claim restitution have waived their rights explicitly or by silence after full notice.*  
Restitution Jointly and Severally Owed

Extortion Scheme	Defendants Owing Restitution	Joint and Several Amount
Trucking	Nicholas Corozzo Leonard DiMaria	\$51,520
S.I. Cement Profits	Thomas Cacciopoli Mario Cassarino Nicholas Corozzo Joseph Corozzo Leonard DiMaria Ernest Grillo Vincent Pacelli	\$27,248
S.I. Cement Sale	Thomas Cacciopoli Agustos Sclafani Nicholas Corozzo Joseph Corozzo Leonard DiMaria Domenico Cefalu John D'Amico	\$4,000
Cement Powder	Nicholas Corozzo Leonard DiMaria	\$3,000
Excavation	Nicholas Corozzo Leonard DiMaria	\$18,000
NASCAR	Nicholas Corozzo Leonard DiMaria Frank Cali Ernest Grillo	\$4,000

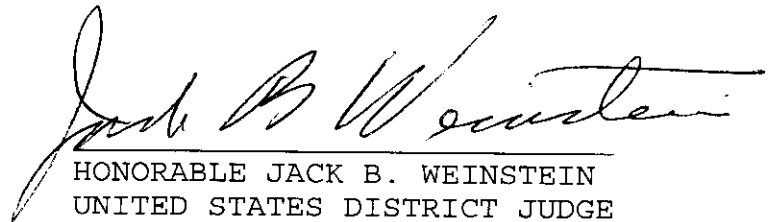
Brancato	Nicholas Corozzo Leonard DiMaria Jerome Brancato	\$500
----------	--	-------

Other Restitution Owed

Extortion Scheme	Defendant Owing Restitution	Amount of Restitution
Trucking	Joseph Scopo	\$12,880
Liberty View Harbor(Part I)	Anthony Scibelli	\$51,927
Liberty View Harbor(Part II)	Vincent Dragonetti	\$57,978
S.I. Cement Profits	Robert Epifania	\$6,812
Brancato	Joseph Chirico	\$1,500
Kilgannon/Polikoff Payoff	Todd Polakoff	\$2,250
Schiavone Kickback	Michael King	\$29,925
Schiavone Kickback	Nicholas Calvo	\$29,925

THE 4/23/09 HEARING AS TO THE DEFENDANTS NAMED IN THIS ORDER  
IS CANCELLED.

Dated: Brooklyn, New York  
*April 22*, 2009

  
HONORABLE JACK B. WEINSTEIN  
UNITED STATES DISTRICT JUDGE  
EASTERN DISTRICT OF NEW YORK